

1900-023
Lee Co

Chancery Causes: W. D. Haynes vs. Margaret Haynes

Kirk

CA-Divorce
T-Vices

V I R G I N I A :

Circuit Court for Lee county:

First October Rules, 1900.

To the Honorable H.A.W.Skeen, Judge of the said Court:

Humbly complaining, your orator, W.D.Haynes, a citizen of said county, respectfully represents unto your honor that on or about the _____ day of October, 1897, he intermarried with one Margaret Kirk, who lived with him as his wife for a period of some three or four months and then left him, and although for some time afterwards he often persuaded and plead with her to return to him and live with him as his lawful wife, she as often refused to do so; that said Margaret for a time after leaving him lived with her mother and grand-mother, and then went to his father's house as his house-keeper, his said father being at the time a widower the second time; that some time afterwards she again went to the home of her grandmother in said county of Lee where she has since ^{resided} and still resides.

Your orator had entertained slight hopes that his said wife would finally consent to ^again live with him as his wife, but to his great surprise and mortification he has been recently informed that she has been for some time past guilty of adultery with one Ben Lowe or Noe, and probaly with other dissolute persons.

Since his knowledge of the infidelity of his said wife, your orator has had no carnal connection with her.

Wherefore your orator prays that your Honor take cognazance of his cause and grant him the proper relief in the premises; he prays that a decree be rendered dissolving the bonds of matrimony heretofore and now existing between him and his said

~~in order that~~
wife; and that this end may be attained he prays that the
said Margaret Haynes be made party defendant to this bill; that
she be required to answer its severall allegations, but she need
not do so under oath as that is waived. Your orator prays for
full general relief. May spa.issue, directed &c.

L. T. Hyatt, p.q.

Plffs Costs

Clerk 331

tax 1.50

atty 1.50

Shff 1.00

J.P. .75

wits 50

22.06

Comm in ch 22.75

22.81

W. D. Haynes.

vs { In Chancery.

Margaret Haynes.

Bill for Divorce

1900 1st October rules Bill
filed. Spa not executed
& alias Spa awarded.

" 2nd October Spa executed

" 1st Nov rules taken the
last Monday in Oct
Cause set for hearing

1900 to 10.
H-

W.D.Haynes,

Plaintiff.

vs.

In chancery.

Margaret Haynes,

Defendant.

This cause came on this day to be heard upon the bill of the paintiff, the process duly executed on the defendant, and the depositions of witnesses, and was argued by counsel. On consideration whereof it is adjudged, ordered and decreed that the bonds of matrimony heretofore and ^{now} existing between the

plaintiff and the defendant be and they are hereby dissolved, *The plaintiff is granted a divorce a vinculo matrimonii* and ~~declared null and void~~; ^{and} the plaintiff recover of the de-

fendant the costs of this suit, to be taxed by the clerk, for which execution may issue,

and the cause is stricken from the docket.

W. D. Haynes

vs. { Decree
 { Final

Margaret Haynes.

Entered on 6th
O. B. No. 6. P. 440.

Enter this decree

H. A. W. Spence
Nov. 9th 1900

W. D. Haynes,

vs.

In Chancery.

Plaintiff.

Margaret Haynes,

Defendant.

which execution may issue.

pendant the costs of this suit, to be taxed by the clerk, for

and declared null and void, the plaintiff recover of the de-

plaintiff and the defendant, and they are hereby dissolved

the decree of matrimony heretofore and existing between

the parties aforesaid, it is adjudged, ordered and decreed that

the parties of witness, and was argued by counsel, and

the process was executed on the defendant, and

the cause came on for hearing, and the plaintiff

To Margaret Haynes:

You will please take notice that on the 23rd day of October, 1900, at the residence of A.C.Williams, a Justice of the Peace for Lee county, I shall take the depositions of Mack Haynes to be read as evidence on my behalf in a certain suit in chancery now pending in the circuit court for Lee county, wherein I am plaintiff and you are defendant.

And if from any cause said depositions be not begun on that day, or begun, be not completed, the taking thereof will be adjourned from time to time and from place to place until the same are completed.

Oct.15th, 1900.

W.D.Haynes,

by counsel.

L.T.Hyatt, counsel.

I executed the above notice by delivering a true copy thereof to Amanda Kirk, the grandmother and a member of the family of Margaret Haynes over the age of sixteen years, at the usual place of abode of the said Margaret Haynes on the 16th day of Oct.1900, and by explaining to her the purport of said notice, the said Margaret Haynes not being found at her usual place of abode.

This 17th day of October, 1900.

E. S. Evans, Deputy
for W.J.Mileham, S.D.C.

W. D. Haynes

vs. } Notice

Margaret Haynes.

The deposition of Joseph Haynes and others taken before me, A. C. Williams, a Justice of the Peace for Lee County, on the 23^d day of Oct., 1900, at my residence, in Lee County, Virginia, pursuant to notice hereto annexed, to be read as evidence in behalf of the plaintiff in a certain suit in equity pending in the Circuit Court of said County, wherein W. D. Haynes is plaintiff and Margaret Haynes is defendant.

Present :- L. J. Hyatt, counsel for plff.

The witness Joseph Haynes, being duly sworn, deposes as follows:

Ques. 1. - Stated your age and place of residence?

Ans. - My age is 13.

Residence, Charley Williams
Jonesville Lee Co. Va.

Ques. - 2. - What relation are you to the plaintiff?

Ans. - half Brother

Ques. 3. - What relation are you to Margaret Haynes, the defendant?

Ans. - we are cousins

Q.-Did Margaret Haynes ever live at your house, and if so, when?

Ans.-She did a right smart while ago. After she left her Husband.

Ques.- If you ever knew her to be guilty of any improper conduct, tell when and where it was and all about it?

Ans. While she was living at our house Ben Low came to our house and give me and Brother Mack some Tobacco If we would leave the house and give Rich. and Patton some Candy If they would leave the house after we all went out. we slipped back to the house and peeped through a crack and they was lying on the bed.

Ques.- When you say they were lying on the bed, to whom do you refer?

Ans. Ben Low and Margaret Haynes.

Ques.- What were they doing?

Ans.- They was huged up
to gether. & Ben was on top
of her.

Ques.- Where did this occur,
at whose house?

Ans. at my Fathers. Stephen
Haynes in the Pocket.

Ques.- Where was your father
and mother at the time?

ans. my Mother was dead. and
my Father was at Pennington Gap.

Ques.- To whom do you refer, when
you speak of "Kick", and "Tatten" above?
ans. my Brothers.

And further this witness saith not.

his
Joseph X Haynes
mark

The further taking of these depo-
sitions is adjourned to to-morrow
and at the office of A.B. Munsey in
Jonesville, Va. A.C. Williams J.P.

Virginia, Lee County, to wit:

I, A.C. Williams, a Justice of
the Peace for said county, do certify

that the foregoing deposition of Joseph
Haynes was duly taken, subscribed
and sworn to before me at the time
and place and for the purpose men-
tioned in the caption. Given under
my hand this 23^d day of Oct. 1900.

A. L. Williams J. P.

W. D. Haynes
vs' { Ex. Celuy.
}

Margaret Haynes

Deposition of
Joseph Haynes.

J. P.'s fee \$0.75-
Wit. 30
\$1.25-

Met pursuant to adjournment at the Office of the Clerk of the Circuit Court of Lee County, where the taking of these depositions is resumed before A. B. Mundy, a Commissioner in chancery for Circuit Court of Lee County, on the 24th day of October, 1900.

Present: L. T. Hyatt, for plaintiff.

The witness, W. D. Haynes, being duly sworn, deposes as follows:

Ques. 1. - State your age, residence, and occupation?

Ans. - Age, 23; residence near Jonesville; occupation, Laborer.

Ques. 2. - Are you the plaintiff in this case?

Ans. - I am

Ques. 3. - When were you married, and how long did you live with defendant?

Ans. - I was married about three years ago, and I lived with the defendant about three, or four months.

Ques. - When did you first learn that the defendant had been guilty of adultery?

Ans. - I had heard it rumored for some time, but did not know it for certain until a short time ago.

Ques. - Have you had any communication with her since knowledge of her adultery has come to you?

Ans. - I have not. I have not spoken to her for nearly two years.

Ques. - When and what was the cause of the separation?

Ans. - I do not know exactly how long it has been but something over two years. While I was away from home she left and went to the Pocket Country to her mother, and I went after her, and she refused to come back and live with me.

And further this deponent saith not.

W. D. ^{his} Haynes
mark

Virginia, Lee County, to wit:

I, A. B. Mumsey, a commissioner in chancery for the Circuit Court of Lee County, do certify that the foregoing deposition of W. D. Haynes was duly taken, subscribed and sworn to before me at the time and place and for the purpose therein mentioned.

Given under my hand this 24th day of Oct. 1900.

A. B. Mumsey Comm. in Chy

W.D. Haynes
vs { Depo.,
Margaret Haynes
Filed Oct 24th 1900
A.B. Munsey Clerk

Bill of Costs:
Comm. \$0.75-

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

again
WE COMMAND YOU, That you summon *Margaret Haynes*

to appear at the Clerk's office of the Circuit Court of the County of Lee, at the rules to be held
for the said court, on the *30^d* Monday in *October* *1800*, to answer a
bill in chancery exhibited against *her* in our said court by *M. D.*
Haynes

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the
court-house, the *1st* day of *October* *1800* and in the 12^{*th*} year of the
Commonwealth.

A. B. Munsey Clerk

W. D. Haynes

vs. {

SUBPOENA

IN CHANCERY

Margaret Haynes

L. T. Hyatt p. q.

To 2nd October Rules.

Circuit Court.

Executed Oct 9th 1800

by Delivering a
true copy of the
within to Margaret
Haynes

E. S. Evans

Deputy for

L. T. Hyatt
S. S. C.